| UNITED STATES DISTRICT COU | RT |
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| SOUTHERN DISTRICT OF NEW Y | ORK |

MAXWAY INTERNATIONAL CO., INC., :

Plaintiff,

-against-

PEPSICO, INC.,

Defendant.

ELECTRONICALLY FILED

07-CV-3634 (LMM)

STIPULATED ORDER
EXTENDING TIME TO
ANSWER, MOVE AGAINST OR
OTHERWISE RESPOND
TO THE AMENDED COMPLAINT

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys that the time within which the Defendant may answer, move against, or otherwise respond to the Amended Complaint in this action shall be hereby extended from its original date to and including August 15, 2007.

Dated: New York, New York June 25, 2007

PROSKAUER ROSE LLP

KANE KESSLER, P.C.

By: Margaret Q. Date Margaret A. Dale (MD-5117) 1585 Broadway

New York, New York 10036-8299 (212) 969-3000

Attorneys for Defendant

SO ORDERED:

Dana M. Susman (DS-5436) 1350 Avenue of the Americas New York, New York 10019-4896

(212) 541-6222 Attorney for Plaintiff

WSDC W 8/26/07

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